

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

KHALIAF ALSTON,
Petitioner,

CIVIL ACTION

v.

SUPERINTENDANT ROBERT
GILMORE,
THE DISTRICT ATTORNEY OF THE
COUNTY OF PHILADELPHIA,
THE ATTORNEY GENERAL OF THE
STATE OF PENNSYLVANIA,
Respondents.

NO. 17-5610

ORDER

AND NOW, this 17th day of December, 2020, upon consideration of Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by *pro se* petitioner, Khalif Alston, the Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated October 29, 2020, and the record in this case, no objections having been filed notwithstanding the passage of time for doing so, **IT IS ORDERED** as follows:

1. The Report and Recommendation of United States Magistrate Judge Henry S. Perkin dated October 29, 2020, is **APPROVED** and **ADOPTED**;
2. Petition Under 28 U.S.C. § 2254 for Writ of Habeas Corpus filed by *pro se* petitioner, Khalif Alston, is **DENIED** and **DISMISSED WITH PREJUDICE** without an evidentiary hearing for the reasons stated in the Report and Recommendation; and,
3. The Clerk of Court shall **MARK** this case **CLOSED**.

IT IS FURTHER ORDERED that a certificate of appealability will not issue because reasonable jurists would not debate (a) this Court's decision that the petition does not state a valid claim of the denial of a constitutional right, or (b) the propriety of this Court's procedural

rulings with respect to petitioner's claims. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ Hon. Jan E. DuBois

DuBOIS, JAN E., J.